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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,345	09/23/2005	Mihai Adrian Tiberiu Sanduleanu	NI 030307	1326
24737 7590 05/15/2007 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER CHANG, JOSEPH	
			ART UNIT 2817	PAPER NUMBER
			MAIL DATE 05/15/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/550,345	Applicant(s) SANDULEANU ET AL.	
	Examiner Joseph Chang	Art Unit 2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/23/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "a substantially half rate" in last line. It is not clear whether the "half rate" is of the data signal or of the clock signal.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Van de Plassche US Patent 5,510,736.

Van de Plassche discloses in figures 1 and 2 a tracking data cell (1, 2a, 5a, 6a, 7a) comprising: a pair of track and hold circuits (5a-5b, 6a-6b) coupled to a first multiplexer (7a-7b), a clock signal (C1, C1bar) being inputted substantially in anti-phase in the respective track and hold circuits for determining a receipt of a data signal (E1a-

E1b) having a rate, said track and hold circuits providing an output signal (S4a-S4b) having a substantially half rate (Col.1 line 61).

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Sanders, US Patent 4,373,141.

Sanders discloses in figure 3 a tracking data cell (68, 66, 82, 106, 110, 118, 112 stage) comprising: a pair of track and hold circuits (68,66,82,106,110 stage) coupled to a first multiplexer (118, 122), a clock signal (112, 108, 121, 123) being inputted substantially in anti-phase in the respective track and hold circuits for determining a receipt of a data signal (input signal) having a rate, said track and hold circuits providing an output signal (114, 116).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being obvious over Sanders in view of Abdi et al., US Patent 5,517,141.

As noted above, Sanders disclosed a tracking data cell as recited in the claim and Abdi et al. discloses the track and hold circuit (Figure 2) comprises: a linear amplifier (103, 212, 214) receiving a differential analog signal (Vin+/-) and being controlled by a first binary clock signal (TRACK bar) having a first phase, the linear

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amplifier (see output path of 212) providing a feed-forward input signal substantially equal with the differential analog signal ( $V_{in} +/-$ ) to a pseudo latch circuit (108 and 110) in the first phase of the first binary clock signal (TRACK bar), the pseudo latch circuit (108 and 110) being controlled by a second binary clock signal (TRACK) for memorizing the input signal and providing a differential output signal ( $V_{out} +/-$ ) substantially equal with the feed-forward input signal during a second phase of the first binary clock signal (TRACK), the second binary clock signal being substantially in anti-phase with the first binary clock signal (TRACK bar).

Sanders does not shows a linear amplifier that is differential and the track and hold circuit as recited in the claim. Abdi et al, however, discloses the differential linear amplifier and the track and hold circuit that provide stable voltage across the capacitor during hold mode. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the circuit of Abdi et al. in the circuit of Sanders because such a modification would have provided the stable voltage across the capacitor during hold mode as stated above.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

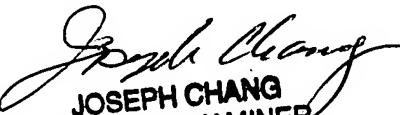
Sanduleanu et al. disclose track and hold circuit.

Bruccoleri et al. discloses waveform track and hold circuit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Chang whose telephone number is 571 272-1759. The examiner can normally be reached on Mon-Fri 0700-1730.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571) 272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
**JOSEPH CHANG**  
**PRIMARY EXAMINER**